

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

SEP 12 1994

In the Matter of)	
Equal Access and Interconnection)	CC Docket No. 94-54
Obligations Pertaining to)	RM-8012
Commercial Mobile Radio Services)	

To: The Commission

COMMENTS OF PUERTO RICO TELEPHONE COMPANY

Puerto Rico Telephone Company ("PRTC"), by its attorneys and pursuant to 47 C.F.R. § 1.415, hereby files its Comments on the Commission's Notice of Proposed Rule Making ("NPRM") in the above-captioned proceeding.^{1/}

In the NPRM, the Commission seeks comment on whether to impose equal access obligations upon commercial mobile radio service (CMRS) providers. The Commission also seeks comment on rules governing interconnection between local exchange carriers (LECs) and CMRS providers.

I. REQUIRING ALL CELLULAR PROVIDERS TO OFFER EQUAL ACCESS TO IXCs WOULD BEST SERVE THE PUBLIC INTEREST

PRTC's cellular customers already enjoy the benefits of equal access. PRTC agrees with the Commission that the benefits of ubiquitous equal access likely outweigh the potential costs. Today's consumers are fully capable of selecting the interexchange service that best meets their needs and at the price they are

^{1/} FCC 94-145 (rel. July 1, 1994). By Order released August 11, 1994 (DA 94-877), the time for filing comments in this proceeding was extended until September 12.

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willing to pay. It is axiomatic that "under equal access, all cellular customers would benefit by not being limited to the menu of services and options their local carrier chooses to provide." NPRM ¶ 38.

Given the benefit to consumers, PRTC believes equal access should be implemented swiftly. PRTC suggests a phase-in period of 2 years with temporary waivers available for carriers which lack equal access capability.

II. INTERSTATE INTERCONNECTION OF LECs AND CELLULAR CARRIERS SHOULD BE GOVERNED BY TARIFF

To date, the Commission has not required that the interstate services portion of LEC-to-Cellular Carrier interconnection arrangements be tariffed. Rather, it has required that the parties enter into good faith negotiations over such arrangements.^{2/} When the cellular interconnection policies were adopted -- the "Commission adopted [the] policy statement rather than specific [tariff] rules because of [the] existence of a variety of interconnection arrangements and system designs." NPRM n.188. That rationale, while sound at the time, may no longer be applicable today.

^{2/} The Commission's good faith negotiation policy "requires all local telephone companies to provide: (1) the type of interconnection the mobile carrier requested; (2) interconnection to the nonwireline carrier that is not less favorable than that furnished to its affiliated wireline cellular carrier; and (3) reasonable interconnection arrangements with the nonwireline carrier that may not be the same as those used by the wireline cellular carrier." NPRM at ¶ 103.

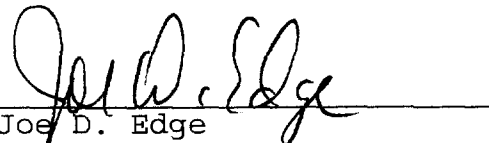
Nearly all local telephone companies offer Type 1, Type 2A and Type 2B interconnection arrangements. Tariffing of such arrangements would reduce any disagreement over interconnection terms and enable other CMRS providers to obtain interstate interconnection on readily ascertainable terms. It would also provide a foundation for interconnection on consistent terms for the new mobile services that will result from the Commission's PCS auctions by obviating the need for each new carrier to conduct a negotiation to secure interconnection with the local network. Tariffing also will "ensur[e] that rates, terms and conditions are reasonable and that carriers do not engage in unreasonable discrimination." NPRM ¶ 116.

CONCLUSION

WHEREFORE, PRTC respectfully requests the Commission to adopt the foregoing principles in this rule making proceeding.

September 12, 1994

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Joanne K. Comisiak, hereby certify that a copy of the foregoing Comments of Puerto Rico Telephone Company was hand delivered this 12th day of September 1994 to the following:

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